









BAY

(E) BOAT
DOCK

SAND
BEACH

(E) BULKHEAD

EXTENT OF NEW
CONCRETE DECK

(E) WOOD
PIER

(E) BULKHEAD

CONCRETE
DECK

0'-
FY.S.B.
FROM
ROW

1112
BALBOA
BLVD.

120'16\"/>

4'-0\"/>

EXISTING
RESIDENCE
(NO CHANGE)

EXISTING
PATIO

1116
BALBOA
BLVD.

125'5\"/>

4'-0\"/>

6'-0\"/>

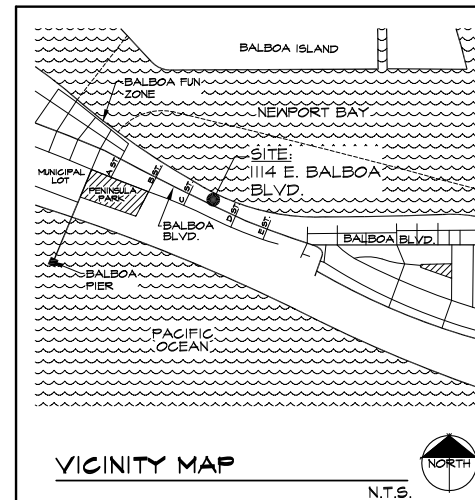
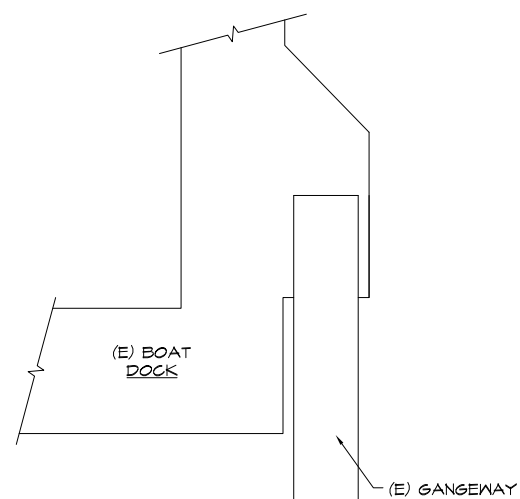
N84°04'00\"/>

BALBOA BLVD.

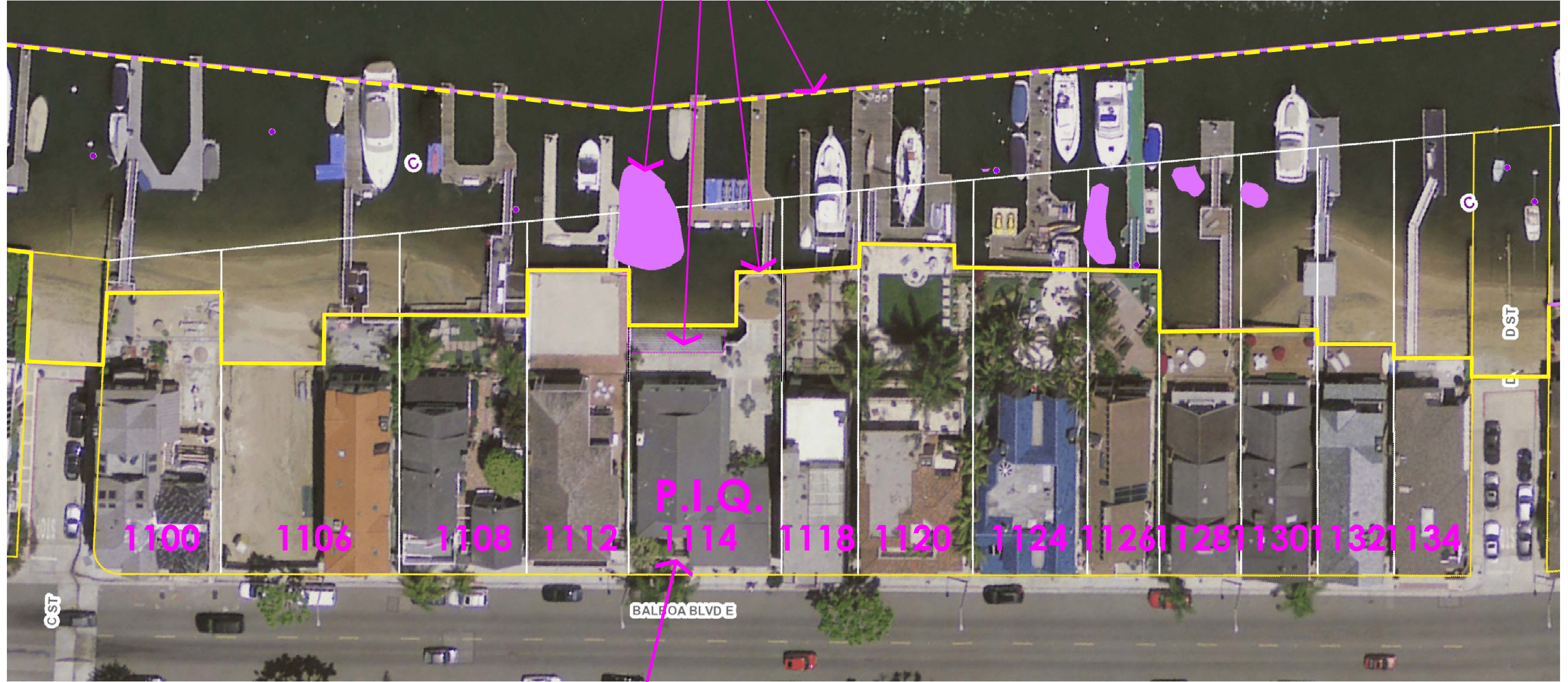
BALBOA BLVD E

SITE PLAN





A-1



PRITT RESIDENCE
PIER PERMIT LINE & EEL GRASS EXHIBIT

SCALE: 1" = 40'-0"
DATE: 2019.04.04

PROJECT: PRITT RESIDENCE
DRAWING: PIER PERMIT LINE & EEL GRASS EXHIBIT

BRION JEANNETTE ARCHITECTURE
470 OLD NEWPORT BLVD. N.B, CA 94963 949.645.5054

HARBOR COMMISSION/CITY COUNCIL LIAISON PAIRINGS

SUBCOMMITTEE RECOMMENDATIONS

September 11, 2013

District	Council	(Paired with)	Commission
1	Henn		Girling
2	Petros		Stapleton
3	Hill		McIntosh
4	Daigle		West
5	Selich		Rhyne
6	Gardner		Blank
7	Curry		Avery

Public Slip at Balboa Yacht Basin



BYB GUEST DOCK



SLIP C-1

40 FOOT MAX VESSEL LENGTH





BYB GUEST DOCK

40 FOOT MAX VESSEL LENGTH

- **2 HOUR MAX** NBMC 17.25
- **SIDE TIE ONLY** NBMC 17.25
- **CLOSED 8PM—6AM** NBMC 17.25
- **NO DIVING OR JUMPING** NBMC 11.12
- **NO LOUD NOISES** NBMC 10.28
- **NO DISCHARGES INTO BAY** NBMC 11.20
- **NO FISHING** NBMC 11.20

DIAL 911 FOR EMERGENCIES

Sept. 11, 2013 Harbor Commission Agenda Item Comments

from: Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

4) PUBLIC COMMENTS

The items I might wish to comment on include:

1. *Invictus/Maramar* temporary anchorages

- a. I would like to call the Commissioner's attention to Newport Beach Municipal Code Section [17.25.020](#): "A. *Location. No person having charge of any vessel shall berth or anchor the same in Newport Harbor except within the designated areas.*" And Section [17.05.070](#): "All channels, turning basins, anchorage areas, and pierhead and bulkhead lines in Newport Harbor shall be as established by the Federal Government or by the City Council upon recommendation of the Harbor Commission. A map thereof shall be kept on file in the offices of the City Clerk and the Harbor Resources Division for public inspection."
- b. Although Section 17.25.20 goes out to define legal means of anchoring in channels and turning basins, the map on file with the City Clerk does not currently designate any legal anchoring or mooring areas in them. In fact the only designated anchorage shown within the entire harbor is the small one mentioned in the [Harbor Guide](#), off the east end of Lido Island.
- c. The Assistant City Attorney believes NMBC Sections [17.60.040](#)(A) and (B) give the Harbor Resources Manager the authority to permit temporary anchoring and mooring outside designated areas. I find this interpretation extremely doubtful.

2. The [September 10](#) City Council meeting

- a. With Item 3, legislation was adopted modifying "the Harbor Commission's Purpose and Responsibilities." Oddly, although in effect no more than a simple amendment (the addition of a new paragraph of responsibilities), the original enabling legislation will be repealed. So technically, when this goes into effect in 30 days, one might say the "old" Harbor Commission will be dissolved and a new one created, but no changes in membership or terms of office will be involved.
- b. Council member Gardner reported that one of the mooring holders whose permit was revoked at the last Harbor Commission meeting claimed to have not received notice of the hearing due to a defective address on file with Harbor Resources. The City Attorney, however, said the owner learned of the hearing in time to appeal, but failed to do so.
- c. In connection with the encroaching piers issue, the Council continued, as Item 21, to struggle with a proposed amendment to NMBC Section [17.35.020\(F\)](#), which requires Harbor Commission "approval" of the permit when a change in ownership of the upland property occurs. Some of the council members wish to exempt inter-family transfers from this requirement, but the matter was continued to a future meeting.

- i. Further details have emerged regarding the closely related [508 South Bay Front](#) situation on Balboa Island. In response to a Public Records Act request, most of the documentation related to the June 19, 2013, administrative appeal hearing held on this matter has been released. As it turns out, the purpose of the hearing was to establish if Chris Miller had properly interpreted the NMBC as requiring that the transfer in question be processed pursuant to Section 17.35.020(F). The retired judge who presided over the hearing concluded Chris was correct.
- ii. The purpose of the subsequent [July 9, 2013](#), City Council closed session meeting on “anticipated litigation” related to 508 South Bay Front remains obscure.

5) APPROVAL OF MINUTES – August 14, 2013 Minutes

The following minor changes to the passages from the draft minutes shown in *italics* are suggested in ~~strikeout~~ underline format.

1. Page 1, middle of longest paragraph: “*Consideration will be given to internal inconsistencies and whether adjustments are needed.*”
2. Page 1, line 2 of next paragraph: “... *the Harbor Commission's purpose and responsibilities where ~~a~~ new responsibilities were added ...*”
3. Page 5, line 9 of longest paragraph: “... *noting that it will not set ~~precedence~~ precedent, ...*”
4. Page 5, line 3 from end: “... *and there is ~~precedence~~ precedent in the Harbor for ...*”
5. Page 6, line 2: “... *and setting ~~precedence~~ precedent.*”
6. Page 7, in three places: “*Public comments were invited, but ~~here~~ there were none.*”
7. Page 7 last line of paragraph 7: “... vessel ~~overhand~~ overhang regulations.”
8. Page 9, line 2: “*He addressed options for the site and noted that ~~the~~ process is moving along.*”

6) 2. Review and Approve the Proposed Harbor Commission Objectives for Fiscal Year 2013-14, and Approve Commission Pairings with Council Members

The Commission should be cognizant of the fact that to avoid [Brown Act](#) requirements, in addition to being composed solely of less than a quorum of the main Commission, the subcommittees need to be both **ad hoc** (that is, having a definite goal and end objective) and strictly **advisory**.

If they do not meet *both* these requirements (for example, if a responsibility for action on behalf of the Commission is delegated to them) then all meetings have to be noticed, and a conversation between even two of the subcommittee members is regarded as a meeting.